IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

Bail Appl..No. 7025 of 2007()

CMP.5497/2007 of J.M.F.C.-II, CHENGANNUR
CRIME NO.170/07 OF MANNAR POLICE STATION

.....

: PETITIONER/1ST ACCUSED

SATHEESAN, AGED 37 YEARS, S/O. GOPI,
PALAPPARAMBU COLONY, FROM KAPPOLIL VEEDU,
VISHAVARSSERIKARA MURI, KURATTISSERI VILLAGE.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.7025 of 2007

Dated this the 19th day of November, 2007

ORDER

Application for regular bail. The petitioner is the 1st accused in a crime registered for offences punishable, inter alia, under Sections 307 and 326 r/w 149 I.P.C. The alleged incident took place on 29.06.07. The petitioner surrendered on 29.10.07. He continues in custody from that date. Prior animosity is the alleged motive. The victim suffered 7 injuries including 2 incised injuries. Iron rods and sword sticks are the weapons used. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents. The petitioner and one co-accused are named in the F.I.R. Investigation is in progress. Final report has not been filed yet.

2. The learned counsel for the petitioner submits that the petitioner is innocent. It is prayed that the petitioner may be enlarged on bail.

3. The learned Public Prosecutor does not oppose the application, but only submits that the investigator may be given reasonable time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions. In the absence of opposition, it is

not necessary for me to advert to facts in any greater detail in this order.

4. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 26.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-